

5-18-1993

Maine Job Service Operational Plan, 1993

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PROGRAM YEAR 1993

OPERATIONAL PLAN

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JOB SERVICE OPERATIONAL PLAN
PROGRAM YEAR 1993

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PROGRAM YEAR 1992 AND 1993

INTRODUCTION

This plan covers the statewide operations of the Maine Job Service authorized under Section 7(a) and 7(b) of the Wagner-Peyser Act, as amended. Plans covering Job Service local office's interaction with the three Service Delivery Areas (SDA) are contained in the Service Delivery Area Job Service Plans that are jointly developed between Job Service local offices and the Service Providers authorized by the Private Industry Councils and Chief Elected Officials of the SDAs.

The plan also describes activities of the Job Service that will support the Human Resource Development goals published in the Governor's Human Resource Development coordination criteria.

The plan contains five parts. The first covers the basic operations of the Job Service required by Federal law and regulation. Part two describes the activities that will be provided under Section 7(b). An Addendum has been added to Parts I and II to account for changes and modifications to the PY 1992 Plan in our continued effort to make this a two year planning process. Part three describes services that will be provided to migrant and seasonal farmworkers. The fourth part describes the Job Services response to the Governor's Coordination Criteria. Part five contains the various certifications and approvals not covered in parts one through four.

JOB SERVICE OPERATION PLAN
PY 1992

PART I: JOB SERVICE BASIC SERVICES

This Part and Part II covers the Statewide operations of the Maine Job Service required by sections 7(a) and 7(b) of the Wagner-Peyser Act, as amended.

A. JOB SERVICE MISSION AND OBJECTIVES

The mission of the Maine Job Service is the delivery of the public labor exchange to all applicants and employers in Maine. This includes participation in the nationally operated interstate clearance system and administration of the work test required by State and Federal Unemployment Compensation laws.

This mission will be accomplished by assisting Maine employers to acquire a skilled and motivated workforce through job referral and placement, recruitment assistance and occupational testing.

Maine workers will be assisted in finding suitable employment through job referral and placement, occupational testing and counseling and referral to supportive services and training agencies when suitable jobs are not available.

B. SERVICE LEVELS

	<u>ESTIMATE</u> <u>1991</u>	<u>ESTIMATE</u> <u>1992</u>
Applications	144,456	140,000
Referrals	48,500	60,000
Counseled	671	650
Individuals Placed	9,776	12,000
Job Placements	10,899	14,000
Job Openings	22,764	25,000
Employer Visits	2,987	3,000

C. SERVICES PURSUANT TO SECTION 7(A) OF THE WAGNER-PEYSER ACT

Section 7(a) of the Wagner-Peyser Act, as amended, requires that each Employment Security Agency receiving funds under the Act provide the following basic functions:

1. Accept applications from job seekers
2. Accept job orders from employers
3. Operate a labor exchange to match applicants and jobs.
4. Participate in an interstate labor clearance system.
5. Administer the work test for the Unemployment Compensation system.

To meet this requirement, the Maine Job Service will use its monies to provide job search and placement services to applicants. In addition, monies will be expended to provide recruitment services for employers. During 1992, there will be an extensive effort to implement employer advisory committees throughout the state in an effort to improve services to employers. Finally, resources will be used to support evaluation and reporting activities as well as labor market information.

1. BASIC LABOR EXCHANGE DELIVERY SYSTEM

- a. Local Office Network

The Maine Job Service will operate a network of seventeen local placement offices across the State during Program Year 1992. Fourteen (14) local offices will be co-located with local Unemployment Compensation (UC) Division claims offices. Three (3) offices will operate in communities without full time UC offices.

Funding for the fourteen offices operated jointly with the Unemployment Compensation Division will come from resources provided under Section 7(a) of the Wagner-Peyser Act. Three (3) additional offices will be supported by resources received under Section 7(b) of the Act.

This network of offices places most Maine job seekers and employers within a reasonable commuting distance of a local office and significant majority of the labor force within a 25 mile radius.

- b. Job Matching

The Maine Job Service has completed the

implementation of a real time applicant/employer job matching system. This system provides applicants exposure to all jobs for which they qualify in their local area and statewide. Similar exposure is provided to employer job listings.

During Program Year 1992, a new applicant self-directed search and job information system will be put in place using touch screen technology. After an initial interview, applicants will be able to return to their local office, review openings and, if a match is found, refer themselves. The Job Service will also be installing these touch screens in 10-12 secondary vocational institutions and technical colleges throughout the state. Students and the general public will be provided access to job listings with the perspective training and educational requirements for jobs statewide.

2. INTERSTATE CLEARANCE

Maine will participate in the interstate clearance of jobs by providing data tapes to United States Employment Service contractors. National summaries of job listings will be distributed on a timely basis as they are received. These job listings will be included in the applicant self-directed search system.

3. UNEMPLOYMENT COMPENSATION WORK TEST

The Job Service will perform the work test requirement for Unemployment Compensation as required by State law. Claimants will register with the Job Service using a single application form for Job Service activities and initial claims for Unemployment Compensation.

It is the policy of the Job Service and Bureau of Employment Security to register all claimants except those specifically waived by Law or Unemployment Insurance Commission rule.

4. PROGRAM MANAGEMENT

Management of field operations will be achieved through a Deputy Director and field supervisory staff. Local office management will develop local procedures to continue fulfillment of the Divisions' objectives and meet local goals developed jointly with the local SDA service provider.

The Bureau of Employment Security has begun a process which will create seamless Job Service/Unemployment Insurance operations in each of the local offices where Job Service and Unemployment Insurance are located in the same building. It is anticipated that this will improve service delivery to both UI claimants and Job Service applicants.

Program and planning management continue to be centralized under a Deputy Director and staff of program technicians. These activities include the Trade Act, Targeted Jobs Tax Credit, Alien Labor Certification, Emergency Dislocated Worker Assistance, Strategic Training for Accelerated Reemployment and Rapid Employment and Training Initiatives. Central office staff also maintain the Job Service Automation Systems and General Aptitude Test Battery correction services for Job Service and other cooperating agencies.

5. APPLICANT SERVICES

The Maine Job Service will provide services to any job applicant who is legally entitled to work in the United States and registers with the Job Service. The Maine Job Service and the Unemployment Compensation Division use a common application form for all services and applicant data is shared through electronic data systems for better service, program access, and screening. The primary service and objective for all applicants will be placement in a suitable job or referral to vocational training. This will be accomplished through the delivery of the following applicant services.

a. Job Development and Job Referral

This service will be delivered through

the statewide Job Matching System available to all applicants in all offices. Applicants will be screened electronically against all available job openings in this local area as well as other geographic areas they have selected. To assist in this process, job search assistance and labor market information will be provided.

During PY 1992, the Maine Job Service will continue to implement its' approved automation project of a self-directed applicant job search and referral system. This real time system replaced the antiquated microfiche system for applicants. It is expected that 10% of all applicants will be able to generate their own job referrals using selective search criteria and not be required to see an interviewer.

b. Vocational Testing

The Maine Job Service will continue to use the Validity Generalization (VG) concept associated with the General Aptitude Test Battery (GATB). Through computer software developed for the Maine Job Service, applicants who are tested will be provided with an assessment profile that combines the GATB test results and their vocational interests and matches the results with the Guide for Occupational Exploration.

c. Vocational Counseling

When appropriate, vocational counseling will be offered to job applicants. Counseling will be limited to the following areas: vocational change, vocational choice and vocational adjustment.

d. Referral to Supportive Services

Each year, many applicants who register with the Maine Job Service have employment barriers that must be eliminated before placement is possible. To assist applicants to eliminate

unemployment barriers, the Maine Job Service has established relationships with a number of other organizations that can provide specific assistance. Eligible veterans are referred to the Veterans Administration under a formal agreement between the Job Service and the V.A. A similar referral mechanism exists with the Vocational Rehabilitation Agency. Current Job Service/Private Industry Council plans contain formal cross-referral procedures and an informal network with local social service agencies at the local office level.

e. Referral to Training

Where appropriate, Job Service applicants are referred to the Job Training Partnership Act (JTPA) service providers, the Trade Adjustment Assistance (TAA) Program and/or the Strategic Training for Accelerated Reemployment (STAR) Program for training.

6. EMPLOYER SERVICES

Maine employers will be offered the opportunity to list their job openings with the Maine Job Service. The on-line Job Matching System provides employers statewide exposure of their job openings to the largest job applicant pool in the State. In addition to Job Matching services, employers will be assisted in the following ways.

a. Occupational Testing

Where appropriate, employers may have potential employees tested for proficiency or job specific aptitudes. All testing will be done using approved United States Employment Service (USES) proficiency tests or specific aptitude test batteries. Validity Generalization will be offered to Maine employers to assist in making the best possible employee selection. Testing services are provided only to those employers who have established written testing agreements with the Job Service. The Maine Job Service will adhere to instructions from

USDOL. Each testing agreement requires that vocational testing be only one of a number of selection factors.

b. Recruitment Assistance

A major aid to employers will be the recruitment assistance offered by the Maine Job Service. Assistance will be provided in four (4) major ways.

1. The Job Service will screen applicants prior to their referral and will limit referrals to the number employers wish to consider.
2. The Job Service will continue to provide "positive recruitment" services for new or expanding businesses including application collection and the use of Job Service facilities.
3. The Job Service will also provide recruitment assistance for employers with established affirmative action plans. While all qualified applicants will be referred, extra efforts will be made to recruit applicants from protected classes.
4. Each local office will develop and implement a marketing plan with an emphasis on contacting employers who have weathered the recession and will be the most likely to rehire and/or expand at the beginning of the economic recovery.

D. SERVICES TO TARGET POPULATION GROUPS

The Wagner-Peyser Act does not identify specific applicant groups as target populations. The Act does require that the Job Service promote the employment of persons with disabilities through job counseling, job placement and employer programs in coordination with other groups and agencies serving the handicapped.

A service preference is also provided for veterans before all other applicants. This preference is required by Federal law. In addition, the Maine

Job Service will provide service equity for the migrant and seasonal farmworkers.

1. APPLICANTS WITH DISABILITIES

As required by the Wagner-Peyser Act, each local Job Service office will provide placement services for applicants with disabilities who request such services. In each local office, at least one staff member is assigned this responsibility as part of their duties.

The Maine Job Service will adhere to all of the applicable provisions of the 1990 Americans With Disabilities Act. In this effort, all local office managers have had initial training on the Act and revised both generic and employer specific applications are being developed.

Services provided will include job development, job counseling and placement as well as referral to appropriate supportive service agencies including the Department of Human Services, Bureau of Rehabilitation.

2. VETERANS

Services to veterans and other eligible individuals will be given on a preferential basis as required by Title 38 USC Chapters 41 and 42 and 20CFR652.

Direct services to veterans is funded separately from Wagner-Peyser activities and is covered by a reimbursable agreement between the Bureau of Employment Security, Job Service Division, and the Office of the Assistant Secretary of Labor for Veterans Employment and Training (OASVET).

3. OTHER CLIENT GROUPS

a. Youth

The Maine Job Service offers special programs to assist young job seekers in finding employment. This includes individuals leaving school after graduation or terminating their education

as well as youth continuing in school.

All offices offer in-school programs on job search techniques and skill development in finding employment.

Specific activities for youth including Work Advantage and Jobs For Maine's Graduates Program are described in Part II of this plan relating to the Governor's coordination criteria.

b. Dislocated Worker

Dislocation of workers continues to be a negative side to Maine's economy. The past year has seen increasing numbers of workers displaced from their jobs. Many of the workers are dislocated because of import policy and are eligible for Trade Adjustment Assistance (TAA). Others are eligible for the Strategic Training for Accelerated Reemployment Program (STAR) which is available to dislocated workers who apply during the first eight weeks of their unemployment. The Maine Job Service is the initial contact point for applicants for STAR. Eligibility determinations for this program are done jointly with the Unemployment Compensation Division. The Job Service also administers the TAA and TRA Programs which provide training and a variety of benefits to eligible workers.

In addition, the Job Service is an important service delivery agency of Rapid Employment and Training Initiative Team (RETI) to provide immediate employment and training services to dislocated workers. As a member of the state and local RETI teams, Job Service staff assist with statewide planning, in coordination with the RETI Coordinator and JTPA staff, to respond as quickly as possible to shutdown and lay off situations. The initial notification of a plant closing or substantial lay off is provided to team members through the Job Service Administrative Office. As part of the team, local Job Service staff meet with representatives of the affected

company to discuss employment services/programs and to meet with dislocated workers to discuss employment and training options.

c. Services to JTPA Applicants

Details of the services provided to JTPA applicants are contained in the Job Service/Service Delivery Area plans. In general, these plans provide a process whereby job placement services to individuals completing JTPA vocational training as well as other services are provided.

Referral of potentially eligible JTPA applicants by the Job Service is also included in the local plans. Tracking of results and enrollments is automated.

d. Older Worker

The Maine Job Service provides screening for the major deliverers of the Senior Community Service Employment Program.

E. LABOR MARKET INFORMATION

Statewide and local labor market information will be collected, analyzed and disseminated by the Bureau of Employment Security as part of Title IV of JTPA, Amendments to the Wagner-Peyser Act. Labor market information services will include technical assistance and the dissemination of analyses for use in the following activities:

- a. Youth and adult services
- b. Identification of dislocated workers, suitable job openings for displaced workers, and growth industries and occupations
- c. Job search information
- d. Referral and placement assistance
- e. Testing and counseling services
- f. Job development services
- g. Staff training
- h. Research activities

The Job Service will utilize a series of Marketing Guides developed by the Division of Economic Analysis and Research. The Marketing Guides identify industries, occupations, and employers

which offer the best potential for job development and placement. The Guides catalog quarterly growth industries and occupations, list significant employers, and provide employment projections by occupation and industry. The Guides facilitate the labor exchange process at the local office level by identifying which employers have a high potential for job openings and placements.

Specific industrial and occupational information will be provided to Maine's HRD agencies/programs to support retraining and upgrading programs.

F. JOINT PLANNING AND ACTIVITIES WITH SERVICE DELIVERY AREAS

The joint plans developed between the Job Service and the Private Industry Councils of the three Service Delivery Areas focused on local planning. Local Job Service offices and local Service Provider offices developed plans to deliver services for their specific area.

Local area plans were developed between Job Service local offices and SDA service providers following planning instructions issued jointly by the Job Service and SDA.

Local plans this year addressed four specific areas:

- (1) Sharing job opening information
- (2) Cross-referral of applicants
- (3) The Governor's Summer Youth Initiative Program, and
- (4) sharing of resources where appropriate

Local Private Industry Council members and Local Elected Officials participated in the process through plan review and sign-off.

There are no Job Service/SDA plans in dispute.

PART II: ACTIVITIES PURSUANT TO SECTION 7(B) OF THE WAGNER-PEYSER ACT

A. INTRODUCTION

Section 7(b) of the Wagner-Peyser Act provides that ten percent of the resources allocated to each State will be set aside for Governors. The uses of the ten percent monies are described in the Act. In summary, they are to provide performance incentives for local offices, provide services to groups with special needs and cost of exemplary models for delivering services described in Section 7(a) of the Act. Resources available under Section 7(b) will be \$432,056 for Program Year 1992.

The Governor has designated the Maine Department of Labor, Bureau of Employment Security, to be the appropriate agency to plan and utilize the funds reserved for the Governor under Section 7(b) of the Act.

B. USAGE OF THE TEN PERCENT FUNDS

1. PERFORMANCE INCENTIVES

The allocation formula used to distribute local office funds is based on each offices percentage of the state's civilian labor force and unemployed. The formula causes some offices with high productivity to not receive sufficient monies to support all local office staff. In order to avoid staff reductions in these offices, approximately \$180,000 will be used to support five staff positions. Priority will be given to offices with high placement productivity per staff.

2. SERVICES TO SPECIAL NEEDS GROUPS

a. Rural Applicants

The Maine Job Service will continue to provide labor exchange services in three rural communities to reduce the geographic gaps between full service local offices. The three communities; Dover-Foxcroft, Houlton, and Belfast, have sufficient labor market activity to support continued operation. These offices have approximately 5.6% of all registrants and made 8.6% of the total

placements.

During the Program Year 1992, resources from the ten percent share will be used to maintain the operation of these three offices at an estimated cost of \$220,000.

Operation of these offices are included in the Job Service/Twelve County SDA plan that has been accepted by the Private Industry Council.

b. Older Workers

The Maine Job Service will continue to provide office space, telephone access and other support services to Older Worker Job Banks in cooperation with Area Agencies on Aging.

It is estimated that \$1,200 will be utilized in this effort.

c. High School Youth

This year as part of an effort to expedite the school to work transition for Maine's high school graduates resources will be utilized to assist high school seniors in school to work transition. Further details are contained in the fourth section of this plan addressing the State Human Resource Coordination criteria.

3. EXEMPLARY MODELS

No activities will be funded in the category.

JOB SERVICE OPERATIONAL PLAN
ADDENDUM TO PY 92 PLAN

MODIFICATIONS TO PARTS I AND II

PART I: JOB SERVICES BASIC SERVICES

B. SERVICE LEVELS

	<u>Revised 1992 Estimates</u>	<u>Planned 1993</u>
Applicants	142,323	118,250
Indiv. Referrals	55,019	62,528
Indiv. Counseled	1,078	1,115
Indiv. Tested	650	885
Indiv. Placed	12,354	13,205
Placement Trans.	13,867	14,272
Job Openings	26,784	23,830
Employer Visits	4,000	4,267
Dislocated Worker Workshops	-	168
Dislocated Worker Attendees	-	2,480

C. SERVICES PURSUANT TO SECTION 7(A) OF THE WAGNER-
PEYSER ACT

After "...improved services to employers.", add
"During PY 92 seven (7) local offices began or
rejuvenated existing employer advisory committees."

1. BASIC LABOR EXCHANGE DELIVERY SYSTEM

a. Local Office Network

Add "and Program Year 1993." to paragraph
one.

b. Job Matching

Second paragraph remove "will be put in
place using touchscreen technology" and
add "will be designed and tested using
touchscreen technology. Approximately
two-thirds of the system will be in place
during PY 93. The modification from the
original implementation schedule has been
made to coordinate this project with the
technology that will be used in
implementing the Department's statewide
wide area communications network."

4. PROGRAM MANAGEMENT

Add new paragraph: Maine's Department of Labor has taken on a Total Quality Management effort that has begun in PY 92 and will continue through PY 93. The Job Service Division has been selected as one of the several pilots and has developed a unified mission statement. This work will be followed by several months of staff education of TQM principles and then the selection of quality initiatives to be implemented during PY 93. Performance measures will be designated and evaluated based on each unique project.

5. APPLICANT SERVICES

Add:

f. Dislocated Worker Workshops

In an effort to coordinate service delivery and avoid duplicative services to dislocated workers, the Job Service will be conducting joint Dislocated Worker Workshops with service delivery providers throughout the state during PY 93. See Section I. B. for service levels.

- g. There will be a single initial effort to establish an applicant career center in our Bangor local office during PY 93. Applicants will be able to access literature, videos and other information as well as attend special workshops including topics like resume writing and interviewing.

6. EMPLOYER SERVICES

Add:

c. Business Visitation

Maine has begun a Business Visitation Program in which community leaders, business persons and State and Federal government representatives have formed a group that will identify and assist businesses in the community that are in need of assistance in either staying in

business or expanding. This effort is being modeled after a similar one in New Hampshire and may be expanded beyond its single community during PY 93.

D. SERVICES TO TARGET POPULATION GROUPS

First paragraph delete "handicapped", add "individuals with disabilities."

2. VETERANS

Add new paragraph.

Three Transition Assistance Program Centers have been established during PY 92 and will continue in PY 93. Each Center sponsors a monthly three day training session coordinating with Department of Defense and the Veterans Administration. At these sessions, information is provided to dislocated workers and their spouses about employment, relocation, education and rights.

F. JOINT PLANNING AND ACTIVITIES WITH SERVICE DELIVERY AREAS

Add new paragraph.

In addition to the coordinated dislocated worker work shops described in 5.f. of this Addendum, removal of structural and operational barriers will be a focus for PY 93. Job Service and SDA managers will be meeting to discuss and eliminate current barriers to effective service coordination.

PART II: ACTIVITIES PURSUANT TO SECTION 7(B) OF THE WAGNER-
PEYSER ACT

A. INTRODUCTION

At the end of the first paragraph add "and \$426,486
for PY 93."

B. USAGE OF THE TEN PERCENT FUNDS

2. SERVICES TO SPECIAL NEEDS GROUPS

In paragraph a. change "5.6%" to "6%" and
change "8.6%" to "8%".

PART III: SERVICES TO MIGRANT AND SEASONAL FARMWORKERS (MSFWs)

It is our full intention to continue to provide equity of service for the Migrant and Seasonal Farmworkers (MSFWs) in Maine for the Program Year 1993. We plan to comply with Title 20CFR653, Subpart B, in the following manner:

Section:

101 - The full range of services will be provided to both MSFWs and non-MSFWs in each local office.

102 - Job information will be provided to all MSFWs throughout the statewide Job Bank System and Job Matching System.

103 - MSFWs will be properly identified on job application forms. Local office staff have been provided an MSFW check list to aide in the proper identification of workers so that appropriate support and other services can be identified and provided. Lists of "services available" will be provided to these applicants and their job applications will be reviewed periodically by the local office manager. Local office staff will be available to provide assistance in completing job applications for MSFWs. Careful attention will be given to the assignment of correct and multiple Dictionary of Occupational Titles (DOT) codes.

The State Monitor Advocate and review staff will conduct office reviews to review applications and the application process. All seventeen (17) offices will be reviewed during PY 1993.

MSFWs, like non-MSFWs, need only complete a single application. This application is available in each local office through an automated system.

104 - The Maine Job Service will not knowingly refer an MSFW family or crew unless each working member of that family or crew is registered in the appropriate local office. Neither will the Maine Job Service assist a farm labor contractor or farm labor contractor employee unless it can be verified that a current certification is in existence.

105 - Not applicable.

106 - Not applicable.

107 - The following outreach plan shall be implemented in

Program Year 1993. It covers outreach to MSFWs who are not being reached by normal intake activities.

A. ASSESSMENT OF NEED

Although increased automation and the consolidation of farms has led to a decline in the number of farmworkers in some sectors of the agricultural economy, the overall numbers of migrant and seasonal farmworkers in the state are increasing. In the past few years, substantial numbers of new migrant workers from Texas, California, Florida and other areas have arrived in the state to work in Maine's agricultural industry.

MSFWs are involved in harvesting and packing broccoli, potatoes, raking blueberries, picking apples and have been recruited to work in a variety of other agricultural and nursery operations.

The major crops harvested by MSFWs in Maine are apples, blueberries, potatoes and broccoli. The Maine Department of Agriculture expects cranberries to become a major crop in Maine within the next several years.

APPLES:

In 1992, the Maine Department of Labor, Division of Economic Analysis and Research, reported that there were fifty-four (54) orchards in Maine. Six (6) of these were not active. Of the seven hundred fifty-eight (758) apple orchard workers counted, one hundred sixty-seven (167) were domestic and the remaining five hundred ninety-one (591) came from Jamaica through the H2-A Program. Twenty-nine (29) of the domestic workers were Hispanic and were employed by three (3) growers. A similar number of job openings in the apple industry is anticipated for this year. Workers will be recruited locally as well as through the Interstate Job Bank before turning to the Alien Labor Program. During PY 92, forty-two (42) Spanish speaking MSFWs were referred to the apple harvest from Maine's blueberry harvest. This outreach effort will be extended into PY 93 in an effort to decrease the number of non-U.S. workers recruited through the Alien Program. The Maine Department of Labor prevailing wage finding for apple workers was \$5.61 per hour.

POTATOES:

The potato crop is picked primarily by residents of Aroostook County. The Maine Department of Labor estimates that 80,000 acres are involved in potato harvest. The estimates for total workers vary but range

from four to six thousand workers. However, because of the very short picking season (9 weeks), the number of workers meeting the Department of Labor MSFW definition is estimated to be very small.

BROCCOLI:

As in the past few years, the broccoli crop has continued to be a successful venture for the Aroostook County farmers. The production of broccoli requires intensive hand harvest labor. Many of the broccoli growers rely on migrant workers from Texas and other areas to harvest their crops. These workers have come as part of contract crews.

The Department of Agriculture estimates that 2,700 acres were involved in the broccoli harvest in Aroostook County. The Migrant Health Outreach Initiative published by Rural Health Centers of Maine, reports that four hundred thirteen (413) workers and dependents participated in the broccoli harvest. Estimates put the number of farmworkers at about three hundred (300), most of which are MSFWs. The need for this labor begins in late June or early July, and runs through to mid-October. It is a long harvest season compared to crops generally grown in Maine, thus making it attractive to migrant workers who have been less willing to travel long distances to work in the shorter harvest seasons found with other crops.

BLUEBERRIES:

The Department of Agriculture estimates that 30,000 acres were involved in the blueberry harvest alone. There is a short season of about forty (40) days with most of the harvesting occurring during the middle thirty (30) days of the season. It is estimated by the Maine Blueberry Commission that 6,000 workers are employed. The Maine Migrant and Seasonal Farmworker Healthcare Council Profile on Migrant and Seasonal Farmworkers estimates that 8,000 workers are employed in the annual blueberry harvest. It is difficult to determine the portion of those workers who would qualify as MSFWs under the Federal definition used by this Department. However, given the large number of cross-border Indians who are employed in the blueberry harvest and who do not qualify as MSFWs, a figure of 2,000 is a conservative estimate of the number of MSFWs in the blueberry industry alone.

DIVERSE CROPS:

There are twenty-four (24) commercial nurseries and farms that employ workers for harvesting diverse crops. They employ approximately (three hundred) 300 U.S. workers and twenty-five (25) non-U.S workers. It is estimated that approximately half of these workers are MSFWs.

In summary, the estimate of the number of MSFWs meeting the Department of Labor definition working in the State of Maine during Program Year 1992 was 2,750. This number is based on the estimates above including blueberries, 2,000; broccoli, 200; and diverse crops, 150; and increased to account for possible conservative estimates.

In addition, the directing attorney of the Pine Tree Legal Assistance, Inc. Farmworker Unit, places the number of migrant and seasonal farmworkers in the state in the thousands. Maine has now become part of the migrant stream with individuals and small groups of migrant workers finding their way to Maine as well as workers recruited by farm labor contractors. An increasing number of MSFWs are Hispanic.

The staff at the Training Development Corp. in Bangor, which administers the JTPA 402 Project, concurs with the revised estimate of MSFWs in the State. In addition, a 1987 survey conducted by the University of Washington to determine the number of children of MSFWs in every state reported that thousands of MSFW children were in Maine during at least some part of that year. The figures were derived from the Migrant Student Record Transfer System.

Since 1985, the Maine Job Service has received between 1,500 and 2,000 agricultural job openings annually and would expect this number to hold for PY 93.

During Program Year 1993, we are projecting that there will be 2,500 MSFWs working in Maine. In the past, few MSFWs have registered for service in our local Job Service offices. In PY 1992, forty-two (42) MSFWs were registered as a result of intensified outreach and it is expected that this number will increase in PY 93.

The State Monitor Advocate's recommendations have been considered in this overall plan. The Monitor Advocate will have direct access to the State Employment Security Agency (SESA) Administrator by utilizing the office of the Job Service Director. The position of Monitor Advocate has been established as a senior management staff position, comparable in status and compensation to

other positions with similar complexity and responsibility.

B. ASSESSMENT OF AVAILABLE RESOURCES

Whenever possible, outreach activities will be coordinated with other agencies already working with MSFWs in the State of Maine. To this end, the States' Monitor Advocate and Agricultural Recruitment Supervisor are members of two State committees which work on issues facing Maine's Migrant and Seasonal Farmworkers. The Interagency Task Force on Homelessness and Housing Opportunities includes members from other State departments, shelters, Community Action Agencies and other groups who share MSFWs as target populations for service delivery. The Maine Migrant and Seasonal Farmworkers Healthcare Council is a relatively new organization which has been recently working on issues such as establishing the correct number of MSFWs in the State and will, during Program Year 1993, continue to focus on a coordinated outreach program. The MSFW Healthcare Council includes representatives from Maine Departments of Agriculture, Education, Health Planning, Community Action organizations which coordinate the rakers center for blueberry workers, Pine Tree Legal, 402 agencies, and rural health centers. Membership on both of these councils will provide for extensive coordination in outreach services.

The resources available for outreach continue at 1992 levels through 1993. The State of Maine will employ two Agricultural Specialists who will spend one half of their time during the first quarter and one quarter of their time during the last quarter of the program year on outreach. In addition, a Spanish speaking outreach worker will be hired for the first and a portion of the second quarter in order to provide effective direct outreach services to the increasing number of Spanish speaking MSFWs. The costs of this direct service are as follows:

SALARY & FRINGE	
2 Agricultural Specialists (1/2 1st quarter)	\$10,320
2 Agricultural Specialists (1/4 4th quarter)	5,160
1 outreach worker (mid-June - mid-Oct.)	<u>12,221</u>
	\$27,701

In addition, approximately one-third of the Deputy

Director for Program and Planning will be spent fulfilling the duties of the Monitor Advocate. The Agricultural Specialists will also be assigned to conduct reviews of local offices to ensure appropriate delivery of services to MSFWs. The costs for this support are as follows:

	SALARY & FRINGE
1 Monitor/Advocate	\$20,262
(1/3 Deputy Director)	
2 Agricultural Specialists (10%)	<u>4,128</u>
	\$24,390

The total staff support for these activities total \$52,091.

Additional money will be used for revision of the MSFW brochure and for transportation to and from outreach activities.

C. PROPOSED OUTREACH ACTIVITIES

As stated in Section B above, there will be numerous contacts through membership in organizations that serve the Migrant and Seasonal Farmworker population in Maine. It has been the practice of the MSFW Healthcare Council to invite both growers and workers to attend and discuss issues on a regular basis. In addition, the Council will visit the rakers center, blueberry barrens, and broccoli growers in a coordinated outreach effort during the first quarter.

It is anticipated that in excess of six hundred (600) farmworkers will be contacted through outreach of the Council and by Job Service Agricultural Specialists and outreach workers. Of these, two hundred (200) will be contacted in Washington and Hancock counties and one hundred (100) will be contacted in Aroostook County.

A daily outreach log will be kept of every trip and contact made, the local office where the individual was referred. The outreach worker will refer any apparent violation to the Local Office Manager or the State Monitor Advocate.

The State Monitor Advocate will also perform outreach as part of his/her responsibilities for monitoring and assessment of services to MSFWs. Total outreach staff days is expected to be 90.

The bilingual MSFW brochure will be revised this year and the bilingual message line will be in place again before July 1st.

D. EMPLOYMENT SERVICES PROVIDED TO MSFWS

In Maine, many migrant workers enter the state to work in a single crop and then leave the state to follow other crops. This makes efforts to register workers at the Job Service for support and other resources difficult. However, every effort will be made to encourage farmworkers and potential farmworkers to register at the Job Service and receive the benefits available.

The basic services available to MSFWs at each local office include: (1) referral to jobs, (2) provide some service (includes all services), (3) referral to supportive services (including 402 Agencies, basic education, legal aide), (4) counseling, including assessing job readiness, and (5) job development contacts when farmwork or other suitable positions might be available through employers. These services will be provided to MSFWs in at least the same proportions as these same services are provided to non-MSFWs in Maine.

E. EMPLOYMENT SERVICES PROVIDED TO AGRICULTURAL EMPLOYERS

1. DATA ANALYSIS

a. History

Agricultural employers placed four hundred eleven (411) job orders with the Maine Job Service for Program Year 1992. The 411 job openings represented nine hundred ninety-two (992) job openings. Of the 411 job orders, the Maine Job Service local offices were able to fill two hundred ninety-three (293) job openings, which is a Fill Rate of 30.6. Maine Job Service did not receive any clearance orders from other states. A total of seventy-two (72) H2-A job orders were processed through the interstate and intrastate system. Because of a lack of available workers, seven hundred thirty-two (732) foreign laborers were requested by thirty-six (36) farmers to harvest

crops in Maine. Of the 36 farmers receiving certification to allow the processing of H2-A job orders, seven hundred twenty-seven (727) foreign workers were allowed entry into Maine to harvest crops. In addition, thirty-six (36) housing inspections were conducted in relationship to the H2-A program.

b. Plans for Coming Year

Plans for the upcoming year should be about the same. Although some employers will go out of business, some will start and others will contract services. In the end, the amount of job orders and the request for agriculture workers remains fairly constant.

It is expected that this year the Maine Job Service will receive four hundred (400) job orders offering nine hundred fifty (950) jobs. Of these, the Maine Job Service expects to help employers to fill three hundred (300) jobs with domestic workers which will result in a Fill Rate of 31.5. Maine does not expect to receive any interstate clearance orders from other states because we do not have an overabundance of workers as determined by the Regional office. Jobs for which domestic workers are not available will be identified and the employers will be assisted to process H2-A temporary labor certification requests to fill vacancies or employers will be offered the Agricultural Recruitment System. This will allow local growers access to the interstate clearance system. The Job Service will continue to expedite housing inspections to assist the employers processing their job orders. The request for foreign labor remains fairly constant and should be for thirty-six (36) employers, resulting in seventy-two (72) job orders, requesting seven hundred twenty-five (725) foreign workers.

2. NARRATIVE DESCRIPTION

The Maine Job Service will continue to take job orders from agricultural employers. Each local office has been informed about the Agricultural Recruitment System. This system allows any agricultural employer who is willing to pay the prevailing wage, provide housing and transportation, access to recruiting U.S. workers from supply states. The Job Service will provide help in obtaining offshore workers through the Labor Certification Program (H-2A), when employers are unable to meet their needs through local recruitment and the interstate clearance system.

All local office staff identify prospective agricultural employers when the job order is written for the employer. All local Job Service offices take full application on everyone that requests job service assistance. This includes Migrant and Seasonal Farmworkers. All applicants are placed in the computer system and job matching is available. All MSFWs are advised of how the Job Service system works and its use, by an interviewer. Interviewers also provide information on schools and counseling if needed. All local offices have Me. I-13, Migrant and Seasonal Farmworker Handouts.

The Maine Job Service has a good working relationship with outreach workers from other agencies that deal with Migrant and Seasonal Farmworkers; this provides excellent linkage in locating this population. The Job Service also plans to hire an outreach worker who speaks Spanish and allocate staff personnel to do outreach in conjunction with filed checks, housing inspections and monitoring pooled interviews. The State Monitor Advocate is an active member of the Migrant Seasonal Farmworker Health Council. This allows for sharing of information on Migrant and Seasonal Farmworkers, especially in locating them. This council meets monthly to share ideas and work together in providing service to the migrant and seasonal population. As stated above, this Council's membership includes agricultural employers, 402 agencies, community action agencies, migrant health

groups, migrant education groups and several state departments.

Maine will promote Employment Security services to agricultural employers in a number of ways. Staff will attend and provide information at many employer conferences and meetings, including the Maine Panalogical Society meetings and pre-harvest blueberry growers meetings. We will also continue to promote the usage of U.S. workers that are already in the state working at the blueberry harvest and for the apple harvest through individual and group meetings.

Maine continues to have an H-2A program. The harvesting season for most crops is of short duration and does not appeal to harvest workers from outside the commuting area. Last year the blueberry harvest was two weeks late in starting, and many MSFWs had traveled up from Florida to work in the harvest. These two factors, combined with intensive outreach by Job Service bilingual staff, increased the number of MSFWs in the apple picking. Several growers have informed the H-2A program that they plan not to request workers through the H2-A program this year while others are still concerned about the availability of U.S. workers at harvest time.

108 - The Maine Job Service, through the MSFW Monitor Advocate, will continue to maintain a self-monitoring system to assure compliance with the Federal regulations. Local offices will be reviewed on a continuing basis. Data will be collected and reviewed to assure compliance and accuracy. Corrective action plans will be developed when necessary. All offices were reviewed in 1992 and all will be reviewed in 1993.

109 - Data collection will be maintained throughout the budget year by utilizing the applicant/employer data base that will be used to produce required Federal reports. Additional data will be collected when necessary and provided upon request when available.

110 - Appropriate data will be released to the public upon request.

111 - This State Agency complies with all Federal and State laws pertaining to nondiscrimination in employment practices in hiring procedures.

112 - Affirmative Action Plans are not required by the State since it has not been designed as a "significant State." The outreach activities are set forth in Section 107.

113 - Informal resolution of apparent violations will be attempted with employers by local office staff within the timeframe of five (5) working days. State agency employees will be encouraged to report suspected violations of employment related laws.

PART IV: HUMAN RESOURCE DEVELOPMENT GOALS

This section covers how the

Job Service will fulfill its responsibility in Governor McKernan's Human Resource Development Goals. To achieve these goals, the Job Service activities will be directed to the specific coordination requirements noted below. The activities will, in many cases, bring the services to the same client groups that were previously identified in the Job Service Operational Plan. However, the narrative in this section provides more detail on the delivery of specific services.

A. GOAL I OBJECTIVE I

This goal includes raising the educational and work place skill level to meet the challenges of national and international competition by improving the school to work transition for youth. The Job Service continues to place emphasis on assisting Maine's youth to make a smooth transition from school to work. Local office staff will continue to participate in-school programs including career day where skill building workshops are conducted and Job Service information is provided. In addition, Job Service Employer Committee membership will join local office staff in speaking to high school classes about the skills that are necessary to obtain employment in the modern workplace.

The Work Advantage Program is currently being implemented at several local offices. In this program employers and high school students agree to keep school a priority over work. Employers limit the number of hours that students work and review grades on a regular basis; and students put together a portfolio involving work history and letters of recommendation.

The Job Service will continue to assist individuals in the Jobs for Maine Graduates Program in finding suitable employment through registration in the Job Matching System. The Job Service will utilize \$20,000 in supporting this program.

A federal grant has been approved to support placing touch screen terminals in selected Technical Colleges and Regional Vocational Technical Centers statewide. This terminal will allow on line access to the Job Service's listing of openings and descriptions of the skills necessary.

B. GOAL 1 OBJECTIVE 3

This goal includes raising the education and workplace skill level of Maine's blue collar workforce by increasing their post-secondary education. The Job Service coordinates training and education opportunities to this target group in several ways. The local office staff assess job readiness of blue collar job applicants and if necessary refer applicant to JTPA service providers and adult education.

Through the T.A.A. (Trade Adjustment Assistance) Program, the Job Service provides funds for training and retraining workers who have lost their jobs as a result of foreign imports. These workers are often blue collar and receive post secondary education through T.A.A. A total of 426 individuals were served in Program Year 1991 and 282 individuals began training during the first nine months of PY 92.

The Job Service coordinates with the JTS system in implementing the STAR (Strategic Training for Accelerated Reemployment) Program which provides priority to training for newly unemployed. The Bureau made 5,279 determinations in Program Year 1991 and 3,874 determinations have been made during the first nine months of PY 92.

C. GOAL 2 OBJECTIVE I

This goal includes efforts to keep Maine's HRD delivery systems the best coordinated in the nation by close coordination of program operations through MHRDC review. The Job Service will participate in the MHRDC review process by submitting its 1992 Operational Plans to the council for review and will be present at any meetings or work sessions to answer questions.

In reviewing Maine's Job Training Policy within the 92-93 JTPA Governors Coordination and Special Services Plan, several areas of program coordination are clear. First local Job Service offices and SDAs have developed annual coordination plans which include a formal cross referral system and close contact between these service providers.

The Job Service coordinates Veterans Employment Program delivery with the JTS system through the use of Disabled Veteran Outreach Personnel who are assigned solely to work with veterans using a case management approach.

The Job Service participates in the delivery of the Senior Community Services Employment Program by performing eligibility determinations for the University of Maine Extension Service and the Department of Human Services who operate major SCSEP Programs in the State.

This Plan will be in effect for two years subject to any modifications made by the Maine Human Resources Council.

PART V: OTHER

A. JOB SERVICE STATE PLAN SPECIAL CONDITIONS

As a condition to receiving funds under the Wagner-Peyser Act, as amended, the Maine Department of Labor, Bureau of Employment Security, Job Service Division, hereinafter called the State Agency, agrees to the following:

1. The State Agency will comply with the Wagner-Peyser Act, as amended, and applicable rules and regulations;
2. The State Agency will promote and develop employment opportunities for handicapped persons and provide job counseling and placement of handicapped persons;
3. The State Agency will designate at least one person in each State employment office whose duties will include providing services/activities for handicapped persons described above;
4. The State Agency will cooperate with the Maine Department of Human Services, Bureau of Rehabilitation, in providing service/activities to handicapped persons under the State plan;
5. For costs incurred under the State plan, as approved by the Regional Administrator, the State Agency will comply with principles in 41 CFR Part 29-70 and 41 CFR 1-15.7, except as may be waived by the Regional Administrator consistent with Section 652.8(d) of the draft Wagner-Peyser regulations, dated May 12, 1983;
6. The State Agency will comply with the non-discrimination and equal opportunity requirements and procedures, including complaint processing and compliance reviews, as provided by 20 CFR 31 and 32.
7. The State Agency will not exclude any individual from participation in, deny benefits of, subject to discrimination under, or deny employment in the administration of or in connection with, any services or activities authorized under the Act because of age, race, sex, color, religion, national origin, handicap, political affiliation or belief. All complaints alleging discrimination shall be filed and processed according to procedures in 20 CFR 31;
8. The State Agency will ensure that all job order activities and services will comply with provisions of affirmative action in 20 CFR 1604, 1605, 1608 and 1627; and

9. The State Agency employment testing program will comply with 41 CFR 60-3, 29 CFR 1627, and 29 CFR 32.

B. CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1978, 29 CFR Part 98, Sections 98.305, 98.320 and Subpart F.

In addition, this certification is a material representation of fact upon which reliance is placed when the agency determines to award the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

- A. The prospective grantee certifies that it will provide a drug-free workplace by:
- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - (b) Establishing a drug-free awareness program to inform employees about -
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
 - (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will -
 - (1) Abide by the terms of the statement and
 - (2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
 - (e) Notifying the agency within ten days after receiving notice under subparagraph (d)(2), with respect to any employee or otherwise receiving actual notice of such

conviction;

(f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted -

(1) Taking appropriate personnel action against such an employee, up to and including termination; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

B. The grantee shall insert in the space provided below, or include as a separate attachment, a listing of the site(s) for the performance of work done in connection with the specific grant:

20 Union Street, Augusta, Kennebec, Maine 04330-0309
220 Capitol Street, Augusta, Kennebec, Maine 04332-0860
45 Oak Street, Bangor, Penobscot, Maine 04402-0402
175 High Street, Belfast, Waldo, Maine 04915-1535
64 Alfred Street, Biddeford, York, Maine 04005-0343
310 Bath Road, Brunswick, Cumberland, Maine 04011-0218
13 Beech Street, Calais, Washington, Maine 04619-0415
Guilford Road, Dover-Foxcroft, Piscataquis, Maine 04426-0368
75 Washington Street, Ellsworth, Hancock, Maine 04605-1100
106 Main Street, Houlton, Aroostook, Maine 04730-0580
522 Lisbon Street, Lewiston, Androscoggin, Maine 04240-0441
215 Penobscot Ave., Millinocket, Penobscot, Maine 04462-1430
105 Elm Street, Portland, Cumberland, Maine 04104-3574
60 State Street, Presque Isle, Aroostook, Maine 04769-1088
301 Park Street, Rockland, Knox, Maine 04841-0883
35 Congress Street, Rumford, Oxford, Maine 04276-2096
63 Main Street, Sanford, York, Maine 04073-1341
140 North Avenue, Skowhegan, Somerset, Maine 04976-0487
30 Airport Road, Waterville, Kennebec, Maine 04903-0299

Maine Department of Labor,

Charles A. Morrison, Commissioner

Name and Title of Authorized Representative

Signature

Date

May 25, 1993

C. CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his/her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing, or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.

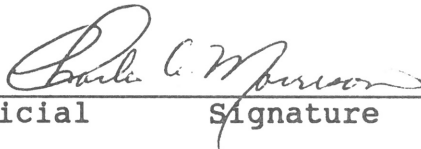
(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Maine Department of Labor,
Grantee/Contractor Organization

Program/Title

Charles A. Morrison



May 25, 1993

Name of Certifying Official

Signature

Date

*Note: In these instances, "All", in the Final Rule is expected to be clarified to show that it applies to covered grant transactions over \$100,000 (per OMB).

**D. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS PRIMARY COVERED TRANSACTIONS**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211).

(BEFORE SIGNING CERTIFICATION, READ ATTACHED INSTRUCTIONS WHICH
ARE AN INTEGRAL PART OF THE CERTIFICATION)

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

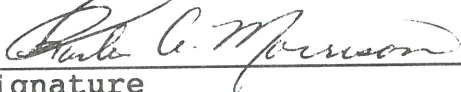
(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Maine Department of Labor

Charles A. Morrison, Commissioner

Name and Title of Authorized Representative

Signature



Date

May 25, 1993

INSTRUCTION FOR CERTIFICATION

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the Department of Labor's (DOL) determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the DOL determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the DOL may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the DOL if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms "covered transaction", "debarred", "suspended", "ineligible", "lower tier covered transaction", "participant", "person", "primary covered transaction", "principal", "proposal", and "voluntarily excluded", as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the DOL for assistance in obtaining a copy of these regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the DOL.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered

Transactions", provided by the DOL, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded From Procurement or Nonprocurement Programs.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the DOL may terminate this transaction for cause or default.



REC'D J.S. DIRECTOR

MAY 21 1993

John R. McKernan, Jr.
Governor

Charles A. Morrison
Commissioner

Mary Lou Dyer
Executive Director

DEPARTMENT OF LABOR
BUREAU OF EMPLOYMENT AND TRAINING PROGRAMS

May 18, 1993

Robert J. Semler
Regional Administrator
U.S. Department Of Labor
Employment and Training Administration
One Congress Street- 10th Floor
Boston, Massachusetts 02114-2021

Dear ^{Bob} Mr. Semler:

In May, 1992, the Maine Human Resources Development Council accepted the Maine Job Service Statewide Operational Plan for a two year period covering Program Years 1992 and 1993.

The Maine Job Service has now submitted several modifications to that plan to keep it up to date with changes that have occurred during the past twelve months. Staff for the council have reviewed the changes to the Plan and find no change in the Plan's compliance with the Governor's Human Resources Development goals.

Notice has also been received from each Service Delivery Area (SDA) that all SDA/Job Service plans have been reviewed and none are in conflict.

If you have any questions, please contact me at your earliest opportunity.

Sincerely,

Mary Lou Dyer
Executive Director

MLD/kah

